



**Homeland  
Security**

October 4, 2004

LEG 8-5 (ISD)

MEMORANDUM FOR: Tony Kendrick  
Departmental Disclosure

FROM: Billy J. Spears //Signed//  
FLETC Disclosure Officer

SUBJECT: Fiscal Year 2004 Freedom of Information Act Annual  
Report to Congress

The Federal Law Enforcement Training Center submits the attached report. If you have any questions, please do not hesitate to contact me at (912) 267-3103.

Attachment (1)

# FEDERAL LAW ENFORCEMENT TRAINING CENTER

## SUBMISSION TO THE DATA REQUEST FOR FISCAL YEAR 2004 (October 1, 2003 – September 30, 2004)

### FREEDOM OF INFORMATION ACT/ PRIVACY ACT (FOIA/PA) REPORT

I. and II.A. – Not for Bureaus.

II.B. **Response time ranged from 1 to 37 days.**

II.C. **The most common reasons why requests for records could not be granted were 1) the requested records did not exist, 2) records were exempt from release under FOIA Exemption (b)(6), and 3) the records were exempt from release under FOIA Exemption (b)(7)(C).**

III.A. Agency-Specific Acronyms or Terms – N/A

III.B. Basic Terms – See [http://www.usdoj.gov/oip/foia\\_updates/Vol\\_XVIII\\_3/page2.htm](http://www.usdoj.gov/oip/foia_updates/Vol_XVIII_3/page2.htm).

IV. Exemption 3 statute relied on – **The FLETC did not use Exemption 3 to withhold information under the FOIA during Fiscal Year 2004.**

V. FOIA/PA Access Requests

A. Number of initial requests.

1. Number of requests pending as of end of preceding fiscal year – **5**
2. Number of requests received during current fiscal year – **1449**
3. Number of requests processed during current fiscal year – **1451**
4. Number of requests pending as of end of current fiscal year – **3**

B. Disposition of initial requests.

1. Total grants – **1392**
2. Partial Grants – **22**
3. Denials – **8**

a. Number of times each FOIA exemption used:

(b)(1) – <b>0</b>	(b)(6) – <b>22</b>	(b)(7)(E) – <b>4</b>
(b)(2) – <b>2</b>	(b)(7)(A) – <b>2</b>	(b)(7)(F) – <b>1</b>
(b)(3) – <b>0</b>	(b)(7)(B) – <b>0</b>	(b)(8) – <b>0</b>
(b)(4) – <b>1</b>	(b)(7)(C) – <b>17</b>	(b)(9) – <b>0</b>
(b)(5) – <b>6</b>	(b)(7)(D) – <b>0</b>	

4. Other Reasons for nondisclosure (total) – **29**
  - a. no records – **14**
  - b. referrals – **4**
  - c. withdrawn – **11**
  - d. fee-related – **0**
  - e. records not reasonably described – **0**
  - f. not a proper FOIA request for some other reason – **0**
  - g. not an agency record – **0**
  - h. duplicate request – **0**
  - i. other – **0 (Returned mail, unreturned messages)**

VI. Appeals of initial denials of FOIA/PA requests.

A. Number of appeals.

1. Number of appeals received during fiscal year – **5**
2. Number of appeals processed during fiscal year – **5**

B. Disposition of appeals.

1. Number completely upheld – **4**
2. Number partially reversed – **1**
3. Number completely reversed – **0**
  - a. Number of times each FOIA exemption used

(b)(1) – <b>0</b>	(b)(6) – <b>5</b>	(b)(7)(E) – <b>0</b>
(b)(2) – <b>0</b>	(b)(7)(A) – <b>0</b>	(b)(7)(F) – <b>0</b>
(b)(3) – <b>0</b>	(b)(7)(B) – <b>0</b>	(b)(8) – <b>0</b>
(b)(4) – <b>0</b>	(b)(7)(C) – <b>5</b>	(b)(9) – <b>0</b>
(b)(5) – <b>0</b>	(b)(7)(D) – <b>0</b>	

4. Other reasons for non-disclosure (total) – **N/A**
  - a. no records – **N/A**
  - b. referrals – **N/A**
  - c. withdrawn – **N/A**
  - d. fee-related – **N/A**
  - e. records not reasonably described – **N/A**
  - f. not a proper request for some other reason – **N/A**
  - g. not an agency record – **N/A**
  - h. duplicate request – **N/A**
  - i. other – **N/A**

## VII. Compliance with Time Limits

- A. Median time for processing requests.
  - 1. Simple Requests – **N/A (Multi-Track Processing Not Used)**
  - 2. Complex Requests
    - a. number of requests processed – **1451**
    - b. median number of days to process – **5**
  - 3. Requests accorded expedited processing
    - a. number of expedited requests received – **0**
    - b. number of expedited requests processed (closed) – **N/A**
    - c. median number of days to process expedited requests – **N/A**
- B. Status of pending requests.
  - 1. Number of requests pending at end of Fiscal Year 2004 – **3**
  - 2. Median days that such requests were pending as of that date – **4.5**

## VIII. Comparisons with Previous Years

- A. Comparison of number of requests received – **The FLETC received 1449 FOIA/PA requests in Fiscal Year 2004 compared to 821 FOIA requests in Fiscal Year 2003. This figure is greater because the FLETC has educated staff on the tracking and reporting of requests not processed by the Disclosure Office.**
- B. Comparison of number of requests processed – **The FLETC processed 1451 FOIA/PA requests in Fiscal Year 2004 compared to 850 FOIA requests in Fiscal Year 2003.**
- C. Comparison of median number of days requests were pending as of the end of the fiscal year – **The median number of days requests were pending at the end of Fiscal Year 2004 was 5 compared to 6 days in Fiscal Year 2003.**

## IX. Costs/FOIA Staffing

- A. Staffing Levels
  - 1. Number of full time FOIA personnel – **1**
  - 2. Number of personnel with part-time or occasional FOIA duties (in total work years) – **1.5**
  - 3. Total number of personnel (in work-years) – **2.5**
- B. Total Costs
  - 1. FOIA processing – **\$165,815.04**
  - 2. Litigation-related activities – **\$0.00**
  - 3. Total costs – **\$165,815.04**
- C. Statement of additional resources needed for FOIA compliance – **N/A**

- X. Fees.
  - A. Total fees collected Fiscal Year 2004 – **\$355.65**
  - B. Percentage of total costs – **0.002%**

- XI. FOIA Regulations – **None Attached**